

International Symposium

**on Human Rights Violations of
Political Prisoners and
Prisoners of War
in the United States**

**Borough of Manhattan
Community College
New York City, New York
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International Tribunal on

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in the United States

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POLITICAL PRISONERS IN THE USA

Luis Nieves Falcón, Ph. D.

There are political prisoners in the United States! Though the government denies it, this is the shocking reality. More than 100 persons are incarcerated in U.S. prisons for their political actions or beliefs.

The official position is that they are "common criminals," but this conclusion does not stand any serious analysis. To the contrary, the accumulated evidence on each and every one of the cases reveals systematic harassment and persecution of selected persons for opposing the U.S. government and its policies with regard to colonialism, militarism, and social justice.

These persons are known and respected for their longstanding activism in struggles for Native American sovereignty, Black liberation, Puerto Rican independence, and for their struggles against racism, imperialism, women's oppression, and nuclear weapons. They have challenged U.S. policies through a variety of forms, including civil disobedience, armed political actions, and grand jury resistance.

The arrests, trial procedures, sentencing, and incarceration reveal a continuous violation of their human rights ranging from isolation, sensory deprivation and psychological torture, to physical aggression and sexual abuse. The situation of political prisoners, and those who claim Prisoner of War status, is flagrantly inconsistent with the basic norms of international law as accepted by all states, including the United States.

The problem of the prisoners is most severely aggravated by the denial of the United States that it holds political prisoners, thus keeping their condition hidden from normal forms of international scrutiny. In fact, the U.S. government has taken elaborate steps to confuse world public opinion as to the true character of these prisoners, because their existence exposes deep injustices in U.S. society. Furthermore, behind the screen of secrecy the jailers hope to break the prisoners' bodies and spirits before an international conscience moves in a solidary

effort to demand an end to these abuses and for their immediate freedom.

A group of concerned organizations and individuals in the U.S. and Puerto Rico have pledged themselves to bring to the attention of the North American and international communities, the human rights violations which are routinely perpetrated by the U.S. government against these prisoners. They have joined forces to organize consciousness-raising activities on the issue. The culmination of this process will be a Tribunal, including an international panel of people of universally recognized moral reputation, who will judge the validity of the charges against the United States of persistent violations of human rights contained in the indictment.

Three activities antecede the Tribunal: a Symposium on human rights violations of political prisoner/Prisoners of War in U.S. North American jails, a Religious National Summit to examine the problem from a theological point of view, and a Literary Reading in solidarity with the prisoner. The symposium took place last April at the Borough of Manhattan Community College. More than 200 hundred persons attended the all day activity. Some of the participants are actively involved in working for the Tribunal.

The Religious National Summit took place on July 28, 1990. Its goal was to bring together distinguished religious leaders to examine the present conditions of the prisoners from a theological perspective, and the responsibility of religious institutions in eliminating inequities and violations.

The Literary Reading in Solidarity with Political/POW prisoners will take place on October 24, 1990. Its goal is to bring together a group of distinguished North American and Third World writers to express, through their creative participation, solidarity with the prisoners.

The culmination of these consciousness-raising activities will be the Tribunal, to be held at Hunter College from December 7-10, 1990.

A group of 11 persons of internationally recognized moral standing will examine the grievances of the prisoner/POWs and concerned human rights organizations against the government of the United States. They will pass judgment on the evidence presented to substantiate the charges of human rights violations against the United States and they will deliver a verdict based on the factual legal foundations presented.

The Tribunal will be attended by national and international observers from human rights organizations. The diplomatic corps accredited in Washington will be invited as well as selected members of the United Nations and grassroots organizations concerned with human rights in the United States.

**NEW AFRIKAN/BLACK POLITICAL PRISONERS
AND PRISONERS OF WAR:
CONDITIONS OF CONFINEMENT**

Jill Soffiyah Elijah, Esq.

In our review of the conditions of confinement for New Afrikan/Black* political prisoners and prisoners of war, it is important to remember the reasons that the United States government wants them confined. The U.S. will not allow Black people to exercise their right to self-determination. All of these freedom fighters have committed their lives to fighting for the liberation of Black people. U.S. intolerance of this political position held by Black people is historical. There have been many Black political prisoners throughout the history of the United States, all of whom have been jailed as a part of the government's attempt to silence resistance.

One of the most notable early political prisoners and someone who may not immediately come to mind in this context is Marcus Garvey. As his movement, the United Negro Improvement Association (U.N.I.A.), spread throughout the country and his call for self-determination was heeded by more and more Black people, the government's plan to destroy him was implemented. He was jailed on charges of mail fraud and deported.

We find that during the past three decades there has been a steady increase in the number of people imprisoned because of their political views and actions. Many of the New Afrikan political prisoners and prisoners of war came from the Black Panther Party and/or the Black Liberation Army (BLA). The F.B.I.'s notorious COINTELPRO effort to destroy the Black liberation movement is primarily responsible for the imprisonment of numerous former Panthers and BLA members.

We also find that as the prison population became more politicized, the level of repression to which it was subjected was

**Throughout this paper, the terms New Afrikan and Black were used interchangeably.*

heightened. Prison rebellions increased and many prisoners who were targeted as organizers or leaders within the prisons were subjected to beatings and lengthy periods of total isolation. Such is the case of the Reidsville Brothers, who in 1978, participated in a rebellion by Black prisoners at Reidsville Prison and demanded an end to guard brutality, degrading living conditions and racist attacks from white inmates. The prison officials retaliated with beatings and solitary confinement.

Stark in its illustration of this heightened repression is the Attica Prison Rebellion, which occurred in 1971. In response to demands from prisoners who had taken over Attica seeking more humane treatment, Nelson Rockefeller, governor of New York State, ordered that state troopers retake the prison by force. This order was given despite on-going negotiations for a peaceful resolution of the Attica situation. In essence, Gov. Rockefeller ordered the mass murder of 43 people; 34 prisoners and 9 guards. Rockefeller's barbarism was rewarded when he was selected to serve as vice-president to Gerald Ford.

So we see that the attitude of the U.S. government towards prisoners' concerns is one of intolerance and indifference. And, with respect to political prisoners, the imposition of egregious conditions is part of a systematic effort to destroy any visible signs of resistance. The intent of the government in imposing these conditions is two-fold; destroy the will of the political prisoner and send a strong message to supporters and followers that their resistance will be met in kind.

The United States government continues to deny to the world that there are political prisoners within its borders. It maintains this position at whatever cost necessary. Recall the almost immediate removal from office of U.S. Ambassador to the United Nations, Andrew Young, when he publicly acknowledged the existence of political prisoners within the U.S.

Back in the 1970's, Jalil Bottom, one of the New York Three, recognized the significance of raising the issue of political prisoners held within the U.S. in the international arena. Thus, in 1976, he launched the National Prisoners Campaign to Petition the United

Nations. This effort was widely supported by political and progressive prisoners resulting in a petition being submitted and discussed in Geneva, Switzerland. This work formed the impetus for Lennox Hinds and the National Conference of Black Lawyers to invite the U.N. International Commission of Jurists to tour numerous U.S. prisons and interview political prisoners. Their findings raised serious questions about the treatment and reasons for confinement of the many political prisoners they interviewed.

Type of Sentence

As a general rule, political prisoners have been given the harshest sentences possible. Journalist, Mumia Abu-Jamal, a former Panther and staunch supporter of the MOVE members who were bombed by Philadelphia police, is on death row in Pennsylvania for defending himself and his brother from a vicious beating by local Philadelphia police.

After years of court battles, Gary Tyler finally had his death sentence commuted to life imprisonment.

Johnny Imani Harris, who was originally serving 5 consecutive life sentences at the infamous Atmore Prison at the time a rebellion broke out, was subsequently sentenced to death in 1974, because of his participation in a rebellion during which a prison guard died.

Oscar "Gamba" Johnson, also an Atmore inmate convicted of participating in the rebellion, is serving a 148-year sentence.

Geronimo ji Jaga Pratt, was sentenced to life and despite his exemplary prison record, has been denied parole 9 times.

Sekou Odinga, was sentenced to life plus 40 years with a recommendation of no parole.

Assata Shakur and Sundiata Acoli were sentenced to life plus 30 years. Fortunately, in 1979, Assata was liberated from prison and she is now living in exile in Cuba. This was the only way to put an end to the horrendous conditions under which she had been confined.

Each of the nine MOVE defendants was sentenced to 100 years.

Bashir Hameed and Abdul Majid, were both sentenced to 25 years to life.

Seth Hayes and Teddy (Jah) Heath are also serving 25 years to life sentences.

Baba Odinga is serving a 25-year to life sentence.

Donald Taylor, a former member of De Mau Mau which was a clandestine self-defense formation within the U.S. Marine Corps in Vietnam formed to defend against racist attacks from white troops, was sentenced to 150 to 200 years without parole.

The New York Three (Herman Bell, Jalil Bottom and Albert Nuh Washington) were each sentenced to 25 years to life.

Mutulu Shakur was sentenced to 60 years.

Kuwesi Balagoon was sentenced to 25 years to life.

Jihad Abdul-Mumit, a former Panther and BLA member, was sentenced to 14 years for a parole violation which did not involve a new arrest.

Prior to his recent release due to prosecutorial misconduct, Dhoruba Bin-Wahad, was serving a life sentence.

Solitary Confinement and Administrative Detention

In the early 60s, a meeting of social scientists and prison wardens was convened by director of the Federal Bureau of Prisons, James V. Bennett. The main speaker was Dr. Edward Schein, a social scientist. He presented his theories on brainwashing and the application of such techniques to achieve behavior modification with the prison population. Among the twenty-four techniques suggested by Dr. Schein were the following:

1. physically remove the prisoner to an area sufficiently isolated in order to break or seriously weaken close emotional ties;
2. segregate all natural leaders;
3. prohibit group activities that do not fit brainwashing objectives;
4. systematic withholding of mail;
5. create a feeling among the isolated group of prisoners that they have been abandoned by and totally isolated from the community;

6. undermine all emotional supports; and

7. preclude access to literature which does not aid in the brainwashing process.

James Bennett urged the participants in the meeting to experiment with Dr. Schein's theories within their respective institutions.

Approximately a decade later, the "experiments" that grew out of that meeting in 1961 began cropping up all around the country. The glaring similarities between Dr. Schein's techniques and the treatment received by the vast majority of Black political prisoners serve to enforce the belief that there is a thinly disguised attempt on the part of the U.S. government to psychologically destroy political prisoners.

Marion Penitentiary in Illinois is the highest level security prison in the country. This is where the first control unit was established. Its main focus is sensory deprivation and solitary confinement. A disproportionately high number of political prisoners have been sent to Marion. Many of them have had lengthy stays in the control unit there. The control unit consists of small soundproof box-type cells. Since 1983, the entire prison has been on lock-down status. This means that all prisoners are locked in their cells 23 hours a day. They are permitted only one hour outside the cells to shower and take recreation on the tier. Twice a week, for two hours at a time, outdoor recreation in a small fence-enclosed area is permitted at the whim of the guards.

The cells at Marion consist of a stone bed and a toilet/wash bowl. No contact visits are allowed with social visitors. All legal visits are monitored by video camera and guards. All meals are taken in the cell. No phone access to lawyers is permitted unless the prisoner can prove that his lawyer wants him to call. Only two ten minute calls per month are permitted to family and friends. Marion is the epitome of the implementation of Dr. Schein's theories on isolation and segregation.

Sekou Odinga was immediately designated to Marion upon being sentenced to 40 years plus life. After spending three years at

Marion in lock-down status, he was transferred to Leavenworth in general population. When a bogus investigation of escape charges commenced, he was snatched during the early morning hours and thrown in administrative segregation. Shortly thereafter, he was moved to a new special housing unit (SHU) modeled after Marion. Sekou remained in the SHU after the investigation cleared him of the escape allegations. After 9 months of being held in solitary confinement at Leavenworth, Sekou was returned to Marion. He spent a month in the control unit there, and then was moved to D Block, is also under 23-hour lock-down as previously described.

Sundiata Acoli spent 5 years in the Management Control Unit (MCU) of Trenton State Prison. He was the first prisoner sent there. At MCU, Sundiata was locked down 24 hours a day in a cell that was smaller than the space requirement for a German shepherd dog set by the Society for the Prevention of Cruelty to Animals. No contact visits were allowed. All meals were taken in the cell. Strip searches were required every time he left the cell for any reason. Cavity searches were frequently imposed. In 1979, just months before the liberation of his co-defendant, Assata Shakur, he was secretly transferred during the middle of the night to federal custody at Marion. (He was a New Jersey state prisoner.) Sundiata remained at Marion for 8 1/2 years before he was transferred to Leavenworth. Like Sekou, he was also placed in administrative segregation during an investigation of the same bogus escape charges. He spent 6 months in SHU before being returned to general population.

James "Blood" Miller spent over 6 years at Marion before his eventual release last year.

Geronimo ji Jaga Pratt spent 8 of his 20 years of incarceration in solitary confinement.

Hugo A Dahariki Pinell, one of the Soledad Brothers, spent 20 years in solitary confinement.

Prior to her liberation, Assata Shakur spent over 20 months in solitary confinement, often housed in men's facilities.

Oscar (Gamba) Johnson, Gary Tyler and Johnny Imani Harris have all spent over 5 years in solitary confinement.

Chui Ferguson-El spent 8 years in federal custody in general population without any disciplinary infractions. Last year, upon his transfer to Pennsylvania, he was immediately thrown in solitary confinement (the "hole"). In response to his attorney's inquiry, the state prison officials stated that Ferguson-El would spend the balance of his sentence in the hole because "he had previously been shown to be a threat to security while in federal custody at Lewisburg Penitentiary".

In late 1988, Bashir Hameed, a member of the BLA and a well-respected Muslim leader among the prisoners, was placed in solitary confinement at Shawangunk Prison in New York State because of his leadership and organizing abilities.

In early April of 1990, Abdul Majid, a member of the BLA, was put in solitary confinement (the box) because of "his status in the Muslim hierarchy". The official "charge" made against Abdul was for demonstrating. It was alleged that he urged a cook not to prepare food for the Ramadan evening meals. Despite the fact that the cook testified at his hearing that no such conversation had taken place, Abdul was condemned to a year in the box at Great Meadows Correctional Facility in Comstock, New York. The box consists of a 6'x8' cell where Abdul is locked in for 23 hours a day. Recreation is twice a week alone in a fenced cage that is 6'x9' feet. Showers are allowed twice a week unless a social visit is to occur. Visits are allowed once a week.

New York State has recently passed legislation which implemented more lenient guidelines for the use of administrative segregation.

In the 70s, a group formed in Pennsylvania State Prison known as the Black Liberation Front. They sought religious freedom and protection from human rights violations. They were labeled as terrorists by the prison administration and singled out for punishment. Joseph "Joe Joe" Bowens was held in a control unit for 5 years. Russell "Harun" Shouts, a BLA member, was held in solitary confinement for 3 years and Clifford "Lumumba" Futch was held in a control unit for 14 years.

Distance from Family and Supporters

In keeping with Dr. Schein's suggestion that behavior modification can be achieved by separating a prisoner to weaken or break emotional ties, most of the New Afrikan political prisoners and prisoners of war have been confined far away from their families and supporters. For instance, Geronimo had been incarcerated in northern California at San Quentin for many years. He had a large base of support including his defense committee located in the Bay Area of California. Last year, in retaliation for his offer to testify on behalf of Filiberto Ojeda Rios who was on trial in Puerto Rico, Geronimo was transferred to Tehachapi Prison which is located in Southern California.

Nuh Washington is confined at Wende Correctional Facility in Alden, New York. This facility is located in the far northwestern corner of the state. Nuh's lawyers and primary base of support are in New York City.

Mutulu Shakur is confined at Lompoc Penitentiary in Lompoc, California. His family, friends, lawyers and support committee are all located in New York. Despite these factors, he was immediately designated to Lompoc by the Bureau of Prisons.

Punitive Transfers

In order to understand the punitive nature of a transfer, we must first appreciate the disruption in routine that a transfer causes. When a prisoner is transferred, he/she is placed in administrative segregation, usually for one month. During this time they cannot work and whatever work status they had previously achieved is lost. No educational program can be pursued during this time and prior educational credits are seldom transferable. Personal items are frequently "lost" and many weeks may pass before a new visitors' list is established for the prisoner. During this waiting time, visitors are frequently frustrated by being refused visits even though they were previously approved on another facility's list. Additionally, friendships and contact with other inmates are destroyed.

Herman Ferguson has been moved all over New York State in the past two years. Punitive transfers have been extensively used

against the New York Three. Nuh Washington has been transferred 10 different times in the past 17 1/2 years. Jalil Bottom has been in six different New York State facilities in the past 12 years.

Before Geronimo ji Jaga Pratt was transferred to Tehachapi, it took a court order to keep him from being transferred to Folsom Prison where it was clear that his life would be endangered.

Torture

Upon being arrested, most of the Black political prisoners and prisoners of war were beaten and tortured. Abdul Majid suffered several damaging blows to the head when he was beaten at the time of his arrest. Jamal Joseph, Kazi Toure (he was brutally beaten while handcuffed) Chui Ferguson, Sundiata Acoli, Sam Brown (his neck was broken and medical attention withheld), Assata Shakur (she was refused adequate medical attention for a gunshot wound) Nuh Washington (he was also refused medical attention for gunshot wounds to the face) and Sekou Odinga were all subjected to brutality when arrested.

Sekou was captured after a shoot-out with police. During the shoot-out his companion Mtayari Shabaka Sundiata, was murdered by the police while he was lying on the ground wounded and unarmed. Sekou was then arrested and tortured for many hours while the police attempted to interrogate him. He was beaten so badly that he was unrecognizable and his pancreas was almost destroyed. During the torture sessions, Sekou's head was repeatedly flushed in the toilet, his toenails and fingernails were ripped out and cigarettes were snuffed out all over his body. He was hospitalized for three months and his eyesight was damaged as a result of this beating.

Dhoruba Bin-Wahad was set-up for an armed attack from another inmate. His lawyers had to seek an order of transfer from the court in order to avoid further incidents at that facility.

Psychological torture is also employed against Black political prisoners. James "Tarif" Haskins, a BLA member, has been subjected to tactics of mind manipulation and drugs from which he suffered hallucinations.

Forced Labor

The labor of prisoners is used to maintain the prisons. Refusal to work is one way to guarantee receipt of an incident report and disciplinary action. Sometimes, as a form of punishment, groups of prisoners are taken to the fields and forced to work under the threat of guns. Upon his arrest in California, Mutulu Shakur was held at Florida State Prison in the East Unit. The East Unit was a replica of Marion. Here, prisoners were forced to work in the fields as punishment for various disciplinary infractions.

Health and Medical Care

In general, the health and medical care provided to prisoners is abhorrent. Bashir Hameed suffers from acute hypertension. His medication must be increased regularly. His prison doctor has determined that continued solitary confinement creates a substantial danger of a stroke. Despite his doctor's request that he be removed from the "box", the Shawangunk administrators have refused to move him. Sometimes Bashir's blood pressure is so high that medication does not stabilize it.

Ahmed Evans was a Black nationalist leader from Cleveland, Ohio who was incarcerated in the infamous Southern Ohio Correctional Facility. Due to medical neglect, he died of cancer at the facility.

When Sundiata Acoli was transferred from the MCU at Trenton State Prison to Marion, his entrance physical exam revealed that he had been heavily exposed to tuberculosis.

Kuwesi Balagoon, a member of the BLA who was serving 25 years to life for the attempted Brinks armored car expropriation in 1981, died in a New York State correctional facility due to gross medical negligence. Despite exhibiting all the tell-tale signs of AIDS, Kuwesi was not transferred to a hospital for medical care until ten days before his death.

Visitation, Religious Freedom, Legal Access, Personal Hygiene

Extensive background checks are done on all visitors of political prisoners. This includes legal and social visitors. These visits are closely monitored by prison officials and are sometimes denied for fabricated reasons.

Legal and social visitors are usually harassed by prison officials in an effort to discourage them from visiting. Frequently, family members, friends and lawyers travel many miles to visit a prisoner only to be denied a visit because they have not followed some procedure that either does not exist or has already been complied with to the letter. Social visiting time is reduced with no explanation. Legal visiting rooms often times are not supplied to lawyers and paralegals. Without notice to the prisoner or the visitor, the visitor's name is removed from the prisoner's visiting list, preventing the visitor from gaining access to the prison until a new background check is completed. Although the check can be completed in less than 24 hours, visitors and inmates are usually told that it will take 6 to 8 weeks to complete a background check.

Without explanation or rationale, rules are imposed that infringe on the religious freedom of political prisoners. Particular targets of this sort of harassment are Muslims, MOVE members and prisoners who wear their hair in long locks. For instance, despite his religious practices, Chui Ferguson-El was placed in administrative segregation because of his refusal to cut his hair. There has been frequent and wide spread interference in the attempt by Muslim prisoners to observe Ramadan in accordance with their religious beliefs. This type of harassment resulted in Abdul Majid being sent to the box for a year.

It is very difficult for political prisoners to remain in regular contact with lawyers if they are in solitary confinement. Phone access to lawyers is extremely limited. Sekou Odinga must present a letter from his attorney stating that the attorney wants him to call the office in order to make the collect phone call. All phone calls are monitored. When an attorney calls the prison requesting that a political prisoner be allowed to call back to their office, the message is not given to the prisoner except in extremely rare instances.

Censorship

Prisoners in federal custody are only allowed to correspond with their attorneys, immediate family and those individuals with whom they were friends prior to their incarceration. The obvious hardship this works on political prisoners serving lengthy sentences is that with each passing year, they grow further away from developing new friendships.

All social mail is read and for political prisoners, most if not all, is photocopied. Although the prison authorities do not admit it, it is the belief of this author and many others that the legal mail of political prisoners is also read and photocopied.

Reading material is sanctioned according to the whim of the institution. Political materials come under heavy scrutiny. I understand that the Freedom Now literature is being banned from some institutions. At Wende Correctional Facility, Nuh Washington is not allowed to receive any books, hard cover or paperback, unless they come from the publisher or a book store. However, he can receive photocopies of books. There's no rationale for this rule.

Surveillance While Incarcerated

The growing trend in the incarceration of political prisoners is to place them in small monitoring units within or adjacent to a larger correctional facility. As a result, "mini-Marions" are cropping up around the country. MCUs and SHUs are the "popular" choice of prison officials when it comes to political prisoners and prisoners of war.

At Shawangunk, a Close Supervision Unit has been opened that is separate and apart from the main facility. The CSU prisoners take their recreation separate from the rest of the prison population in a separate recreation space except for two times a week. All recreation for the entire prison is done after 6 p.m. They have a separate mess hall. There is a low guard-to-inmate ratio. Every single move made by an inmate is monitored and logged on a daily activity sheet. Each inmate must be involved in a program 8 hours a day.

The prisoners who are housed there are told that there is no way that they can be transferred out. The position of the New York State Department of Corrections is that once a prisoner is placed in the CSU, that is where they will serve the balance of their time. Since October 5, 1988, the prisoners in the CSU have staged a shut down of the unit and they have been locked in their cells. Some of the political prisoners in the CSU are Maliki Shakur Latine, Herman Bell, Al Musadig Yusef of the Williamsburg 4 and Bashir Hameed prior to his removal to the box where he has remained for the past 20 months.

Another form of surveillance used against political prisoners is that of an escort. The prisoner is not allowed to move anywhere in the prison without an escort. This is the method used for Nuh at Wende. He is not even allowed to come to legal visits without his escort pacing back and forth just outside of the legal visiting room.

Conclusion

Through this discussion, I have attempted to give you a comprehensive view of the conditions under which New Afrikan/ Black political prisoners are incarcerated. Some of these conditions are not unique to Blacks or political prisoners. However, in light of the large number of Black political prisoners and prisoners of war, an analysis of the treatment they receive will aid in an understanding of the plight of all political prisoners and prisoners of war.

NORTH AMERICAN ANTI-IMPERIALISTS AND US GOVERNMENT REPRESSION

Elizabeth Fink, Esq.

My topic is the North American anti-imperialists, but I should clarify that and say that I will speak about one North American and one European anti-imperialist, because Silvia Baraldini is not a North American. She lived here and carried out her political activities here, but she is European and hopefully in the near future, she will return to Europe. What Soffiyah says is absolutely correct; the vast majority of people in prison are third world people, but there are any number of white people, who are political prisoners in the US. Once having made that decision and having had the entire wrath of the US on their backs, they face the same conditions that every political prisoner faces. These people made a choice to do what they did. They all have a history of community activism and primarily had a history of support for national liberation struggles. Marilyn Buck, who was a member of the Students for a Democratic Society in the '60s, an editor of New Left Notes, went to San Francisco and became a support person for the Black Panther Party. She received a sentence for purchasing ammunition in the early '70s that she is still serving today in 1990. It is that history that has given her the kind of sentence she has now, which is a ridiculous 70 years. Not only is she already doing 70 years, but she faces another 45 in the Washington Resistance Case. After it is over, she will have served what they want to give her—over 100 years in prison. What they want to do to her and the rest of the Resistance people is never let them see the light of day. Marilyn has been in the DC jail with the others since her arrest. They occasionally receive "recreational periods" during the weekend, but they never get to see the sun. These people have not seen the sun

for five years. Ray Levasseur, is another person who never gets to see the sun, because he is imprisoned in Marion. He began his activist career as a mill worker in the mills of Maine, went to Vietnam, after his tour of duty he worked for the Students Organizing Committee in Tennessee, and then returned to Maine where he was a member of the Vietnam Veterans Against the War. He did community activism work in Maine and founded an organization called SCAR which dealt with prison reform. In 1975 he made a decision, along with others, based on the repression against him, based on the existence of a death squad in Portland, Maine, that he would go underground. He was captured in 1984 and received a 45-year sentence. The government wanted to give him a 105 year sentence, but they did not get what they wanted. Thank you, Ray Levasseur.

Many of us have seen *Through the Wire*, we have seen the pictures of Susan on the picket line when she was only 14. These people have a long history of political activism. Silvia and I met in December of 1966. At that time, she was an organizer in Madison, Wisconsin doing anti-war activity. She came to New York, worked in support of the Black liberation movement and found herself in prison. Because, once you align yourself with these kinds of struggles, that is what happens when the wrath of the US government falls on your shoulders. Soffiyah talked about the disparity of sentencing and the enormously long prison terms. This is true for these people as well. The disparity of sentencing between the right wing and the left wing in this country is well-known. If you possess 2,000 lbs. of dynamite in Pennsylvania and you are a member of the order of posse comitatus, you are going to do 6 months in jail. If you bomb a series of abortion centers in Florida, and you stand up in court and say "I'm proud of what I did", you are going to get five years and your wife will receive probation. If you do the most outrageous of criminal offenses and you are a member of the right wing, you are going to get out of prison. However, if you are Linda Evans and purchase 3 guns, you can expect a 40 year sentence. If you are found to be in possession of weapons,

which under a normal situation will get you 10 years, you will receive 56 years if you are Tim Blunk and Susan Rosenberg. The US will want you to receive the maximum sentence, but how long you actually serve in prison depends on us and the fight that has to be waged.

The same thing occurred in Silvia Baraldini's case. The Circuit Court considered her conviction a closed question and the judge gave her maximum time. She then went to Brooklyn and refused to cooperate with the grand jury investigating the Puerto Rican independence movement and the judge added an additional three years to her sentence. These people all suffer under the worst conditions of confinement to, the conditions of political prisoners in America. All of them are primarily in federal custody, although Judy Clark, Kathy Boudin and David Gilbert are in state custody in New York State. There have been a number of serious struggles that have been waged against their federal government around the custody. One which we must all take some pride in is the fight that we made around Lexington. When you watch the movie "Through the Wire" you get the feeling that it was the lawsuit that closed Lexington down. That is a lie. Lexington was closed down by all of you. It was going to be closed down even before we filed that lawsuit. They told us they were going to open another prison in New Mexico. They were going to open another prison in Marianna because they did not want to deal with Lexington. Certainly, the lawsuit pushed them over the line, but we were at the line when we filed that lawsuit. Silvia Baraldini was transferred to Marianna four days ago and I have been in contact with her. Because of our campaign against Lexington, Marianna though it is a terrible prison and we hate it, is not a control unit. It does not have social and sensory deprivation that Lexington did and that Marion does. Soffiyah talked about Marion. I do not want to say anymore. It is a nightmare. It is the incarnate of evil. I was there last week. It chills your bones to walk into that place. I saw some people who had travelled from Chicago, they had a 5-month-old baby with them. They would not let them visit

because the baby was not on the visitors' list. They had driven 9 hours. They were not even going to have a contact visit but they still would not let that little baby in. These people were crying and the guards just didn't care.

The worst thing in prison is to be ill. It is the one thing that everybody hates and in a political situation, is even worse. A great number of political prisoners have had serious medical problems. Marilyn had a tumor on her neck which was not treated properly. Silvia requested to see a gynecologist for 8 months before she was allowed to see a doctor, only to discover that she had contracted cancer of the uterus. She required two operations and radiation therapy. Laura, probably has nonspecific 9A, 9B hepatitis, is constantly sick and has not received treatment. However, the most serious case is that of Alan Berkman. Alan Berkman received only a 12-year sentence and the US government was very upset about that. Since the government wasn't able to lock him up forever, they set out to destroy Alan by not providing him with medical care. Four years ago, Alan was diagnosed as having Hodgkins Disease. It was only because he had a judge who was a humane person that he was treated properly. But now, he has suffered a relapse. The government knows he is sick, but instead of transferring him to the Mayo Clinic Hospital in Rochester, the Bureau of Prisons has announced that they are going to transfer him to Marion. Marion, where the water is contaminated, where he will sit in a cell and wait for maybe three weeks, even though he has a relapse of cancer, before they send a doctor to examine him. The doctor will sit around, maybe wait a month and a half, maybe two, and then say, "oh, well you have cancer now. We will take you to Springfield." Springfield is a morgue, it is not a hospital. It is a morgue where they put people and kill them. Rather than take him to Rochester, rather than have another judge order that Alan receive medical care, and be taken to Georgetown or some hospital, they are going to put him away, lock him up and hope that he dies. Since they were not able to give him the maximum sentence, they want to give him a death

sentence instead. The situation with Alan is really critical. We must organize a letter-writing campaign right now and demand that Alan receive proper medical care. We must do everything in our power to prevent the government from murdering Alan- which is exactly what they intend to do.

THE PRICE OF DEFENDING FREEDOM

Luis Nieves Falcon, Ph. D.

The condition of Puerto Rican patriots in North American jails needs to be placed within the context of the colonial condition of the island, if one is to approach the problem from the realm of reality rather than illusion. In that colonial setting, the dominating power not only has absolute control of the economic basis of the society, but of all ideological institutions. Additionally, it has established a pervasive system of intelligence surveillance to detect any sign of dissent and fostered social processes aimed at alienating the Puerto Rican from the real roots of oppression. Some of those disconnecting social processes monitored by the dominating power are drug addiction, alcoholism, mental diseases, inter-personal violence, and suicide. They are all system oriented alternatives which preserve the dominating role of the oppressor and the dominated role of the oppressed. To deviate from conformism or these alternatives of self-destruction is to face the reality of having to confront the system. The confrontation of the system is absolutely necessary to avoid continued self-degradation and subjugation but, the reality of confrontation also means to become the object of the whole repressive apparatus of the U.S. government in Puerto Rico. In persecuting anti-colonial fighters, the U.S. government has used the most diverse techniques: from persecution, incarceration, physical and psychological torture, to massacring the advocates of independence and their supporters.

The Puerto Rican prisoners are all anti-colonial fighters, whose civic struggle is juridically based on international covenants which supersede U.S. national law. It includes General Assembly Resolutions 1514(xv), 1541(xv), and 2625(xxv) as well as the Resolutions of the Special Committee of the United

Nations General Assembly for the Application of the Statement on the Granting of Independence of Colonized Peoples and Countries, approved almost annually from 1973 to 1989 regarding Puerto Rico.

The Puerto Rican prisoners are not common criminals who have acted for personal gain or out of desperation or a lack of self-control. Regardless of the specific charges of which they may have been convicted in an effort to criminalize the struggle for liberation, each and every one is incarcerated by reason of his or her commitment to fulfill the promise of the General Assembly Resolution 43/47, declaring this decade The International Decade for the Elimination of Colonialism. They have been convicted for their unrelentless commitment to struggle against colonialism and for no other reason.

Many Puerto Rican prisoners have assumed the position of Prisoners of War. The legal basis for this posture is the inapplicability of the Treaty of Paris of 1898 which, contrary to the legal statute governing the relations between Spain and Puerto Rico at that moment, excluded Puerto Ricans from the negotiations. The legal inference is that due to that inapplicability, what still prevails is a state of war between the U.S. and the Puerto Rican nation. The legitimacy of the political position of Puerto Rican prisoners was endorsed last year by the sentence handed down against the United States by the Permanent People's Tribunal meeting in Barcelona, which concluded that:

This Tribunal is convinced that Puerto Rican nationalists deserve to be treated as political prisoners and given protection as "prisoners of war" in accordance with the Geneva Convention of 1949 and the Geneva Protocols of 1977. As such, all Puerto Rican political figures, currently in custody, should be released forthwith or, at minimum, should be sent into exile in a country whose government is prepared to grant asylum . . .

The incarceration of Puerto Rican prisoners is violative of fundamental human rights. The violations are noticeable during

the arrests and pre-trial conditions as well as during trial and sentencing and, during the incarceration itself. Immediately obvious are the long and disproportionate sentences. They are many times longer than the average first offense for a similar crime. And compared with sentences for those convicted of horrendous crimes, their sentences appear even more absurd and bring forward the political nature of their incarceration. Also visible is the exile accompanying each and every sentence since the prisoners are removed miles away from their country, their relatives, and their friends. But, at the moment, the critical points are the prevailing conditions during incarceration. The special and punitive treatment of these men and women includes a denial system which comprises isolation, destabilization, criminalization, humiliation, inadequate medical treatment, physical and sexual assault and continued harassment and vigilance. Their confinement is a systematic and deliberate intent to transform their will and destroy their spirit through the constant infliction of physical and emotional pain. In fulfilling this strategy of fear and coercion, with total disregard for the ultimate private sphere of the individual, the United States becomes a violator of international standards and an abhorrent criminal of international law.

Which are these hideous violations of international law? Present conditions of Puerto Rican prisoners are in violation of the Universal Declaration of Human Rights adopted and proclaimed by a General Assembly Resolution of the United Nations in 1948. It violates Article II which assures basic human rights without distinction of any kind, including political or other opinion; Article V which states that no one shall be subjected to torture or to cruel, inhuman and degrading treatment or punishment; Article IX guaranteeing that no one shall be subjected to arbitrary arrest, detention or exile; Article X which states that everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge against him; and Article IXX which affirms that no one shall be subjected

to arbitrary interference with his privacy, family, home or correspondence, nor to attack upon his honor and reputation.

The treatment imposed on Puerto Rican prisoners is also violative of basic human rights internationally guaranteed in the administration of justice. They have been designed to protect persons subjected to detention or imprisonment. One of the basic instruments to deal with this issue is the Standard Minimum Rules for the Treatment of Prisoners. It was ratified by the United States in 1977 although it continually violates these standards with respect to their application to the Puerto Rican prisoners. The instrument has 95 rules of which two relate to insane and mentally abnormal prisoners, ten to prisoners under arrest or awaiting trial, one to civil prisoners, and one to persons arrested or detained without charge. The remaining eighty-one apply to persons in prison. Of these eighty-one standards, the U.S. government has systematically violated forty-two in its treatment of Puerto Rican prisoners. In other words, slightly more than fifty percent of the standards are grossly violated with regard to Puerto Rican POWs and political prisoners.

The U.S. government also violates an international covenant for the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This is evidenced by the continuous imposition of strip-searches and the denial system on Puerto Rican POW/Political prisoners. The elements of these two repressive techniques fall under the methods of coercion characteristic of torture. In fact, Professor Mary McAleese of Trinity College in Dublin concludes in relation to the former: "strip-searching is an effective tool in the humiliation and degeneration of women. As such, it is nothing more than a form of torture". On the other hand, the denial system is a systematic and deliberate infliction of acute pain by one or many persons on another in order to accomplish the purpose of the former against the will of the latter. In the case of Puerto Rican prisoners, to force them to renounce their commitment to the struggle against colonialism in their country, or failing that, to incapacitate them physically

and mentally. it is an "aggravated and deliberate form of cruel, inhuman or degrading treatment or punishment" offensive to human dignity.

How can one explain the brutal behavior of a supposedly civilized government towards Puerto Rican prisoners? The U.S. government hopes that by destroying the prisoners, they can destroy resistance to colonial oppression. They fail to recognize that this persistent use of torture, the continuous violation of the private and intimate domains of each prisoner, will not dissuade these courageous men and women, these patriots, from their commitment to struggle against prevailing social injustice in Puerto Rico. The images of the past loom inspiringly over them: Betances, Albizu Campos, Juan Antonio Corretjer, Mariana, Lola, and Adolfin. The glorious past, the heartfelt solidarity of the collective emotional resistance of our people will no doubt combine to allow all of us to participate in the reconstruction of a liberated country.

**...INTERNATIONAL AND NATIONAL PRESSURE
AND AWARENESS WILL BE NECESSARY TO
ACHIEVE MORE THAN COSMETIC CHANGES.**

West German Freelance Journalist

Right now, the Federal Republic of Germany (West Germany) holds over 50 political prisoners from the Red Army Fraction (RAF), the Resistance, the legal radical opposition movements as well as members of the Kurdish independence organization, PKK and two Irish prisoners. Their imprisonment is marked by systematic attempts by the government to use isolation and sensory deprivation as well as behavior modification programs to break the political and personal identity of the political prisoners. Some political prisoners from the Red Army Fraction have been held in isolation conditions for up to 18 years. I will detail the conditions of imprisonment for political prisoners in the FRG and the close international cooperation between the U.S. and the FRG, both on the question of political prisoners and the use of counterinsurgency methods in general, but first I would like to point out some developments in the history of the FRG since 1945 which shape the current situation and conditions of the FRG as a highly developed security state. The "model West Germany" as it is frequently being referred to has three pillars: it is based on a capitalist economic system with a fairly strong social welfare network, which over the years has transformed the FRG into the economically dominant country in the EEC; militarily it is rooted in its NATO membership; and the third pillar is a tightly-knit state security and judicial apparatus which serves to control and potentially destroy any opposition movement perceived as a threat to "state security". In 1956, the FRG had its first wave of political prisoners when the German Communist Party was declared illegal and unconstitutional by the Supreme Court and hundreds of party activists were arrested. Leading party activists were sentenced to up to 5 years in prison.

The passage of the "Emergency Powers Act" in 1968—at the height of the extra-parliamentary opposition movement (Ausschusserparlamentarische Opposition-APO) and the student revolt—further eroded civil liberties in the FRG. This law introduced the legalization of phone and mail surveillance, clandestine photography as well as the use of undercover agents and provocateurs in case of a "national emergency" by the government and its agencies. To this date, it is estimated that the state internal intelligence agencies have collected data and information on approximately 7.5 million "subversive" people.

Over the last 15 years, the criminalization and prosecution of radical opposition movements and the armed clandestine organizations has taken place with the use of paragraph 129 and 129a of the Criminal Code. Paragraph 129 and paragraph 129a determine that "the formation, membership and support of a criminal and terrorist organization" are illegal. The basic principle of this paragraph is "guilt by association and belief". Members and alleged members of the armed clandestine organizations are always charged under 129a. But since the mid-70s, 129a has been increasingly used to criminalize activists from a wide variety of opposition movements—the anti-nuclear power movement, the anti-NATO movement, the radical sector of the women's movement which actively organized against population control and genetic engineering methods and the autonomist anti-fascist movement. Primary targets of 129a are activists in the legal resistance who are active in the political prisoners' support work. Activists have been indicted and sentenced for distributing literature about the demands of the political prisoners as well as for talking about the demand for association of political prisoners at public events or for organization of such events. All of this is being defined as "support for a terrorist organization" under 129a. Paragraph 129a is also being used to criminalize publications and bookstores which according to the state security are publicizing and selling "terrorist propaganda." Recently, for example, the regular bulletin of the relatives of the political prisoners has been charged with 129a.

In another recent development, 129a has been used to criminalize activists of other national liberation struggles who live in the FRG and continue to be politically active. Twelve members of the PKK—a Kurdish independence organization—who because of the Turkish repression against the Kurdish peoples left Turkey and live in the FRG, have been held for over 2 years in prison and are now on trial in the FRG for membership in a terrorist organization! (Interestingly, 129a is never used against paramilitary neo-fascist organizations and activists.)

Political prisoners arrested, charged and sentenced under 129a are being designated to the highest security prisons and special control and isolation units. If the description of the conditions of imprisonment for political prisoners in the FRG remind you of what you know about the Lexington High Security Unit for women or Marion, it is no coincidence: the use of isolation, sensory deprivation and behavior modification is based on research by psychologists, psychiatrists and prison specialists from Germany and the U.S. It is known that control units in the U.S. and the FRG are regularly shown to state security personnel from different countries and that information is being exchanged on a consistent basis. A further consolidation of international counterinsurgency tactics took place after a conference on "international terrorism" was hosted by the U.S. in Puerto Rico in 1978. The conference was attended by the FRG, Israel and Uruguay, among others.

Since 1975, all political prisoners in the FRG have been held under the 24 Point Program which in some cases is extended to over 40 points regulating every aspect of the prisoners' lives. Among other things the program includes:

- *the banning from all common prison activities;*
- *one hour of solitary yard time per day;*
- *daily cell searches;*
- *24 hour observation;*
- *visiting regulations; and*
- *mail censorship.*

The extreme aspect of this program is implemented in the infamous death-wing in Stammheim prison where prisoners from the RAF have been held in acoustically sealed cells which are painted bright white with a single grated window. The cell is lit 24 hours a day with a single neon light. The only human contact takes place during food delivery.

Right now, aside from the ongoing demand for the large-group association of the political prisoners, the demands by the public movements focus on the release of the three physically ill prisoners and possibilities for free communication among the prisoners and with the outside. Thus far, the government has not moved to create conditions in which any substantial communication and discussion with the political prisoners would be possible. On the contrary, for most political prisoners the censorship of mail and the prohibition of visitors has increased over the last few months. Again it becomes obvious, that the government wants to isolate the prisoners from any developments and in-put for discussions within the opposition movements. Its main aim remains unchanged—to break the prisoners' personalities and force them into submission using isolation tactics. Only those who completely renounce their political associations and beliefs will eventually be considered for better conditions and/or an early release.

The hardline policy of the FRG government has to be understood in the context of a consolidated EEC hardline against any political and social unrest and the political prisoners in particular. This hardline is being displayed right now by the Social Democratic government in Spain. Since November 1989, over 30 political prisoners from the armed clandestine anti-fascist groups GRAPO and PCE(r) have been on a hunger strike demanding their re-consolidation into large collective groups. The only reason they are still alive after almost 5 months on hunger strike is that they have been force-fed constantly for almost two months now. Prolonged force-feeding causes irreversible damage to all the major organs and is internationally being denounced as a form of torture. At this point it is certain that all

the prisoners participating in the strike will be damaged physically for the rest of their lives—but the PSOE government hasn't moved an inch, knowing that its treatment of the GRAPO prisoners will determine the outlines for political prisoners' struggles against isolation throughout Western Europe. The prisoners from the RAF and the resistance in the FRG have been on a rotating solidarity fast for the demands of the political prisoners in Spain and solidarity actions, including demonstrations with over 70,000 people in Spain, have taken place all over Western Europe. The solidarity fast and the solidarity activities on the outside highlight the fact that international solidarity is vital in the struggle for human rights and freedom for all political prisoners. This was also apparent when over 6,700 political and social prisoners in the U.S. organized the solidarity fast in support of the hunger strike of the political prisoners in the FRG and South Africa last year. This action helped to gain media coverage for the hunger strike both in Western Europe and throughout South Africa.

On the issue of the hunger strike, I would briefly like to mention that the hunger strike of the political prisoners in the FRG has also been sparking, in part, a number of hunger- and workstrikes by social prisoners in various prisons throughout the FRG during the last year. They demand an end to small group isolation and behavior modification programmes—which again are very similar to the programmes that are being used against social prisoners in the U.S.

To close, let me just say that the current wave of nationalism and the rush towards reunification in the FRG and GDR certainly has severe consequences for the left opposition movements in both countries. Already the FRG's and the GDR's state security institutions cooperate very closely; you might have read in the newspapers that the East German secret service—the so-called Stasi—had collected data on 5 million East Germans, (one third of the GDR's population), specifically focusing on the left-wing and independent opposition. What the newspapers probably didn't tell you is that these files are now in the posses-

sion of the West German intelligence agencies, enhancing the ability of the state security apparatus to immediately neutralize leading activists in case of social unrest in the GDR during the reunification process.

The increasing move to the right in the FRG and the GDR has put the left opposition movements on the defensive. This also affects the movements' ability to assert any pressure around the issue ending the isolation of the political prisoners. As in the case of the political prisoners and p.o.w.s in the U.S., both international and national pressure and awareness will be necessary to achieve more than cosmetic changes.

MARKETING WAR

Ninotchka Rosca

In the twenty years of the Marcos Dictatorship in the Philippines, an estimated 100,000 people spent time in various military detention camps, police and state prisons. Since the average family size is 7—two parents and 5 children—this means that nearly 700,000 men, women and children were directly affected. But as we know, Third World societies maintain very tightly-knit clan and kinship networks. When one factors in the clans, the number affected directly and/or indirectly by the detention experience becomes enormous.

In 1986, when I returned to the Philippines after many years of exile, I attended a national conference of SELDA, the association of former Filipino political prisoners. In this conference and in informal gatherings afterwards, it was noticeable how a sub-culture based on the detention experience had evolved. The former political prisoners had an idiom of their own, a slang-language referring to various aspects of being imprisoned which the daily languages of my country, 150 of them, could not encompass. Songs, poems, paintings and poster art referring to this experience were in abundance. One noted as well that the term XD (for ex-detainee) had crept into the popular lexicon.

These are testaments that human rights violations, which we are inclined to view as individual experiences, are actually felt societally and communally. They are a social experience, commonly felt and affect the national consciousness. It may be difficult to trace the general breakdown of norms of conduct in the Philippines directly to the oppression of a single individual. However, there exists such a correlation, no matter how tenuous. The rise in human rights violations in the Philippines was paralleled by an erosion in ethical norms and by a debasement of the value given by society to human life. We can state then that the violation of one individual's human rights leads to a

general violation of all and everyone's human rights. This is, of course, a paraphrase of Martin Luther King's words: "Injustice anywhere threatens justice everywhere."

The fall of the Marcos Regime was followed by liberalization but four years later, the Philippines is experiencing record cases of human rights violations once again and both detention camps and prisons are beginning to fill up. It seems that tyranny involves more than just one person or one family or even one wing of the ruling elite; it is a systemic problem and has its origins in social and production relations, as well as in the kind of institutions which are created to maintain these relations.

One significant development which occurred during Marcos' time was the empowerment of the military not only politically but also economically. This was the direct result of the upward-spiralling of U.S. military aid to the Philippines which increased at the rate of 50% per annum. In addition, the Philippine military was licensed to produce "small" arms and munitions, light aircraft and "small" warships. Small is a relative judgment here; we are referring to such firearms as handguns and the M-16. Some of these are exported to other southeast Asian countries which have started to produce their own light weaponry, also under license. To maintain the profitability of this economic enterprise by the military, it has become necessary to create an internal demand—which is a euphemistic way of saying that the military has to see to it that war is a constant within the national territory.

As the confrontation between the United States and the Soviet Union simmers down, we can expect intense pressure on Third World countries by weapons and munitions manufacturers to "consume" such products. We should be conscious of the fact that the intensification of domestic conflicts will be a component part of the "marketing" strategy of such manufacturers. Ironically enough, this marketing strategy has already acquired its own paradoxical label: "low-intensity conflict."

George A. Lopez, writing in the *Bulletin of the Atomic Scientists* (May, 1990), says that "Third World nations ruled by the military establishment directly or in concert with civilian

elites has increased from about 20% in the 1960s to nearly 50% in the 1980s. Militarization has three aspects: the eagerness to acquire armaments; the prominence of the military in a nation's political, economic and social life; and "a marked preference" to use force for resolving domestic or international disputes.

The military buys into the economic formation and adheres to such development objectives as have been articulated by the status quo. The military then veers away from its original role and duty as a "defender" of the nation to an enforcer of a "modernization" model which dovetails into current socio-economic parameters—a model usually drawn up by such agencies as the International Monetary Fund, World Bank and lender-nations. In this role, the military wages war, not against an invading force, but against such members of the national society as oppose such a development model or who become a hindrance to the full flowering of the pattern. In the Philippines, this has meant waging war, on behalf of the ruling elite, the IMF, World Bank and other such entities who devise development models based on maximization of profits rather than meeting human needs and requirements—waging a war on their behalf against peasants who want land reform, workers who want unions, women who want equality, and every other sector which are sideswiped and angered by this development plan.

This analysis indicates that there are global roots of human rights violations and that we need to look into, not only geopolitical links among nations, but also economic links between militaries and economic overlords. With war being more constant than death and considering the six coup attempts in my country, we have concluded that the latest means of capital accumulation, is the coup d'état. I hope that others involved in human rights work will examine this theory and thereby, provide us with a profound understanding of the origins and roots of human rights violations.

Ninotchka Rosca heads the national coordinating center of the GABRIELA Network USA, a U.S.-Philippine women's solidarity network.

**IN THE FINAL ANALYSIS, PRISON IS A
REFLECTION OF THE SOCIETY IT IS A PART OF.
Pablo Marcano García, former Puerto Rican Political Prisoner**

I would like to begin my testimony by citing Don Pedro Albizu Campos, who said: *I dedicated myself to politics because I was born in an enslaved country. If I had been born in a free nation, I would have dedicated my life to the arts, to the sciences.* Pablo Marcano García

On July 4, 1978, Nydia Cuevas Rivera and I took possession of the Chilean Consulate in Puerto Rico. This act occurred in a very particular moment. This was the period when the United States government, under a Democratic Party administration, decided to repair its worn image at both the national and international level, using the human rights issue as its magic wand. This was a very intense period in the struggle for the sovereignty of nations, in the fight to abolish ancestral dictatorships, and in the civil rights struggle to achieve equal and better conditions in Asia, the Middle East, Africa, Latin America, and the United States.

For the Puerto Rican people this was a very special moment because regardless of our political differences, we were able to rise up as a single entity to give support to the demand for the unconditional freedom of the Puerto Rican nationalist patriots. Religious, labor, cultural, political, student and community groups joined together to demand the freedom of the Puerto Rican Nationalist heroes. At that moment Oscar Collazo, Lolita Lebron, Irvin Flores, Andres Figueroa Cordero, and Rafael Cancel Miranda had spent twenty eight and twenty five years, respectively, in prison. Our action was then an attempt to dramatize that broad and general demand of the Puerto Rican people over the deaf ears of a government that centered its foreign policy in the supposed respect for human rights. Additionally, this act was an attempt to impact on the conscience of our people and the international community, the sad reality of a nation that is

induced to celebrate the independence of the same country that, till that time had spent 80 years denying and criminalizing the legitimate right of the Puerto Rican people to fight for our independence. Lastly, the takeover of the Chilean consulate was a feat in which we joined in a solidarious embrace with our brother Chilean people and their organized resistance, victims themselves of the weapons that the U.S. government supplied to the repressive institutions of Augusto Pinochet.

That particular 4th of July, more than four hundred members of the F.B.I., the U.S. Intelligence Services, the National Guard and the police force of the Commonwealth, took by assault old San Juan to create an atmosphere of terror and criminalize this action. Despite the fact that this action took place in Chilean territory, since everything occurred in the embassy's interior, and was recognized as such by the consul who didn't want to press any charges against us, the North American federal government claimed jurisdiction and immediately denied our right for bail by imposing a disproportionate sum in relation to the crime charged and our economic situation. The judicial farce materialized in the language of the metropolitan power: English. In Puerto Rico, contrary to the belief that a large percentage of our population master English, only a small group, about 15% actually speak the language. We were submitted to a judicial process where the principal of representation, or trial by one's peers was non-existent. We were sentenced to twelve years in prison for the takeover of the Chilean consulate with an additional penalty: Exile. Punishment that, according to Linda Backiel and other attorneys, constitutes, in the case of those condemned in Puerto Rico, an unlegislated penalty. Whereas my comrade Nydia was sent to California, almost 6,000 miles from her homeland, I was placed 3,000 miles away from my family and friends.

When a group of Puerto Ricans and North Americans in solidarity with the Puerto Rican independence exerted their constitutional right to protest the imprisonment of the Puerto Rican Patriots in the United States, my case was used again to

exemplify the apprehensiveness and all the cruelty of a prison system whose main political function, in the Puerto Rican situation has been to contain and break, under a veil of legality, the emancipation and class struggle that prevails within the framework of imperialistic-colonial relations. That's how I was transferred, or better yet kidnapped, from a minimum security prison, like Danbury Connecticut, within an hour's drive from New York, where all my family had previously moved and where I was given an out-custody classification, to a maximum security prison where my personal well-being worsened and where both the communication with my family and contact with the community outside would be reduced. In this prison, I was placed in the "most aggressive behavior unit" (MAB Unit) without any explanation or reason.

And it's precisely here where I wish to take time to make a reflection that goes beyond what we ordinarily know of the prison and the insanity and limitations of a system whose rehabilitation policy is none other than military discipline, where the Black Puerto Rican is discriminated against, not only for being Puerto Rican, but also for being Caribbean-Hispanic, Black, and of course, for being an independence supporter. Of everything that I could speak to you about; the vicissitude of the families, the privations, of what 15 minutes per week for phone calls implies, of the physical violence that I was subjected to; I am sure you already have heard. We know of that reality through other means, since it isn't different from the Latin American capitalist universe where prison takes identical and sinister forms of expression. In the final analysis, prison is a reflection of the society it is a part of.

Roque Dalton, a Salvadorean poet and fighter who personally experienced the atrocities of prison, shared the following from a fragment of one of his poems:

*The jail does everything possible to cause pain.
It is the iron night that suddenly falls over us,
The well without stars where one forgets even the oblivion.
Where the sound of silence is like a desperate strong drum.
But even then, jail can be Loved,
When one has sufficient heart.*

I learned to love prison, as Dalton did, in the sense of perceiving it as a repressive element that needs to be challenged in order to transform the society that sustains it, from the same prison experience. I learned to love prison from the unconditional solidarity extended to me by a liberation movement that made it possible to go beyond that objective and crushing reality of the federal prison and made me feel like a privileged person. That experience, of being imprisoned in different penal institutions in this country for seven years allowed me to conceive prison not as a mere discrimination center, forced sexual abstinence, or privation of a quantum of liberty, but as another battleground for freedom. In the case of the Puerto Rican prisoners of war and the political prisoners, this has definitively meant several years of political struggle at diverse levels, intensities, and, surely, many sacrifices. The MAB unit, where the inmates who had very long sentences and who could supposedly endanger my physical and moral life, turned out to be my most loyal and noble bodyguards is a good example. The Puerto Rican nationalists, had already been at the worst North American prisons; Alcatraz, Marion, Leavenworth and through them, prisoners knew of our struggle for independence, of the reason for my imprisonment, and consequently, I was given special consideration.

If I learned anything from that privileged condition it was that no matter how far one might be from one's country, or even if one is secluded or locked up in the dungeons of the prison, one is able to achieve unimaginable ways of communication. For example, my parents who didn't speak English, who had to travel by car, armed themselves with more love and determination and drove two, three times per month, under the snow, the rain, discovering at the same time, all the injustice around them. In that correlation of forces between the imperialist state and the patriotic movement, we were able to witness how organizations from Puerto Rico like the United Committee Against Repression and for the Defense of Political Prisoners (C.U.C.R.E.), as well as neighbors and countrymen surpassed those obstacles and visited me. Here in the United States,

several comrades, lawyers, friends, members of the Movimiento de Liberación Nacional Puertorriqueño (MLN), from the Puerto Rican Nationalist Party, as well as different cultural entities overcame the isolation politic of exile imprisonment. The written communication was surprising; especially, when that correspondence came from people who did not necessarily think like you or share your own political ideology or beliefs, but they showed you respect by their treatment. What I am sharing with you today, might not carry a lot of weight, yet it is precisely what made me see prison as another frontier of struggle and battleground for the liberation of my country. It was through the combination of all these factors including solidarity work such as demonstrations, picketing in front of the prison, sending telegrams, addressing international forums such as United Nations, Geneva, or in a symposium like this one, that allows us—the Puerto Rican political prisoners and prisoners of war to defeat the prison system and transcend its political function.

That individual and organized disposition lead me to embrace, at the age of 30, a part of me that is able to speak in a painting both the cruelty as well as the beauty of life; an artistic expression that allows me today to dedicate myself fully to painting as a way of living. Whereas Carlos Irizarry, a well known Puerto Rican painter goes to prison as a consequence of his art, I reach the arts through prison. Two afroamerican comrades were able to understand that political bond well and they endowed me with their immense talent in the plastic arts.

It was that organized, systematic, solidarious and militant engagement that helped me to research and publish a book about criminality in Puerto Rico and the reason for the prison system in a capitalist colonial country like ours. All of this, in the long run, leads me to better understand Dr. Pedro Albizu Campos when he explained why we had to dedicate ourselves to politics in the colony when our aspirations are such that conditions should exist where repression and the violation of human rights are things of the past, and in turn, dedicate ourselves to superior and more constructive things. This is why we still struggle in this, the other side of prison.

**OUR FIGHT IS ESSENTIALLY A
WORK OF THE HEART AND SPIRIT...**
Dhoruba Bin Wahad, former Political Prisoner

I really appreciate the warm and loving welcome you all have just expressed, this emotional outpouring from progressive people of color, and especially my own people. It is an awesome responsibility to realize how much a victory can mean to an oppressed person. It leaves me without words and anyone who knows me knows that I am very seldom without words.

I vividly recall the day I was sentenced, almost 20 years ago. The courtroom was filled with district attorneys, police, detectives, all wall to wall cops. There was only one person in the courtroom besides my attorney, Robert Bloom, that was there for me. There was my former wife, Kisha and my little baby boy, who is now 18 years old. They were the only ones in court. I refused to come into the courtroom. I told them to kiss my behind, I was not coming out. I stayed in the bull pen. I told them they could send me my time in an envelope. That is exactly what they did. I had to struggle from there. A month ago when I was released, there were over 100 people in court, people like you, who supported me, who came out when it counted, and my wife, Tanikiel, who worked her fingers to the bone for my release. She fainted afterwards. The courtroom was filled with wall to wall people this time. When I was returned to the bull pen to await the bureaucratic rigamarole to release me, there was a Latino brother in the bullpen. A totally a-political brother, and I did not know what to do. I was just pacing up and down the length of the bull pen. I kept saying I won, I won, I won. This guy was looking at me and saying, man, they put a bug in this cell. He's a bug out. So the dude is standing alone in the corner. I looked him in the eye and I said, man, I won. He said, you did! I said, yeah, I beat them. He said, that's great, man, shook my hand. I told him how long I had been imprisoned. He did not believe it. He said, you know,

I was thinking about coping out. I said, well, you must do what you think is best. But, if you are right, and you know you are right, don't give up. He said I gave him a whole different perspective on this. He thought, I don't have a chance, I had a legal aid attorney. But you were imprisoned 19 years? I said, yep. He said, that's hard to believe.

When I walked into that courtroom and I saw all of you folks out there, a lot of you were there in spirit, a lot of you were watching on TV, or whatever the case may be, I knew it was going to be like this. I knew I was going to beat them because I'm Muslim and the law says that: Never will he cause falsehood to triumph over truth. Your presence here today is a testimony to that. I had a few people in my corner for a very, very long time. They did not have much to work with. I was a lunatic. They had to deal with me. I was stark raving mad. On top of that, they had to deal with the courts. That would drive anybody crazy. They had to deal with each other because they were all eccentrics. Before I go any further, I want to acknowledge two of my attorneys here tonight. These are two people who fought for me and I want to give them a little bit of recognition. You all should give them a round of applause.

There are some people here too that I have not seen in a long time. There are two comrades here who were part of the Panther 21 case with me. In their own way they continue to struggle and I just want people to acknowledge that there are other people from the Panther 21 case here. Two of them are doctors, one studied the tsetse fly into oblivion in Africa, he is the foremost authority on that species. And there is another brother here who turns out to be a doctor and a professor of Afrikan studies. So, I want you all to know Dr. Curtis Powell and Dr. Kuando Kinshasa.

The Panther 21 case was a very significant case in the late '60s because it represented for the first time a coming together of forces around a clearly political case in New York City. There were other political cases in New York City as well. I am quite sure a lot of us are familiar with the Harlem 5 and cases

like that. But, they had not grown out of a movement for national liberation and a movement against class oppression like the Black Panther Party had evolved. So, the Panther 21 was a significant case. It caused the FBI a great deal of problems. It really did because people from every spectrum of American society, from doctors and lawyers to actors and actresses came out to support the Panther 21. Most of those brothers spent over a year in prison and they were targets of a very vicious counter-intelligence program. They endured even with their fallibilities. We all know that no one is perfect, but we need to understand that our enemy capitalizes on our imperfections. That when we do not carry out our struggle in a principled fashion, they will destroy us with those imperfections. Principle must lead to struggle. In the struggle for human rights, for human dignity, we must put principle in the leadership. This is very, very important. It is something the counter-intelligence program has taught me very, very well. We cannot abdicate our principles, we cannot give up what we believe in. We must be principled with each other and although it may be hard, we must be principled in our opposition to our enemy. Because if we stoop to his level, in essence we are no better than he is.

When J. Edgar Hoover launched the counter-intelligence program he stated that one of the primary objectives of COINTELPRO was to prevent the rise of the Messiah in the Afrikan American community that would galvanize the nationalist movement and unify them. They succeeded. They succeeded beyond their wildest imaginations. The destruction of principle and militant leadership in the Afrikan American community left a terrible vacuum in our communities. A vacuum that we still struggle against today. So, in building a support movement for political prisoners in the United States, we have to struggle mightily to overcome sectarianism, to overcome our individual weaknesses and to build a principled, ethical and moral movement. One thing that I learned from the Rev. Dr. Martin Luther King was this: that the day they assassinated him I realized that the United States of America could not deal in any

way whatsoever with the ethics and the morality of truth. So, I figured that when they killed Martin Luther King, they deserved Dhoruba Bin-Wahad. I think, that's when I joined the Black Panther Party and, of course, my life has been wacked out ever since. I think most of the brothers that were in the Black Panther Party in the '60s to one degree or another essentially felt the same way. Like the old song goes ...*we were young and we were strong and we were running against the wind*. I'm much older now, but still running against the wind.

The issue of political prisoners in the United States has not been brought to the attention of the American public. It is because we have failed to build a movement in the United States for human rights that is principled and that connects the issue of political imprisonment with all of the other relevant social issues that afflict our people in this country. There can be no movement for social change or political empowerment that ignores the contradiction of political prisoners. Those years I spent up north in places like Attica, Quentin, in isolation, forced me into a very combative state of mind. I had to live next to my enemy 24 hours a day. Every day he changed shifts, while I couldn't change shifts at all. I had to sleep with one eye open like a junk yard dog. I learned something. I may have my faults, but I learned this—never to compromise with a principled behavior, never give in to opportunism, never, never surrender your integrity. Some people would say to me, *Dhoruba you know, you can't go around here just talking crazy to folks and expect to get support*. Well, I have learned also that those people who are going to support the truth are going to support it no matter what, and those people who are in opposition to the truth are going to compromise no matter what. I would rather be with those that support the truth and tell those that oppose it to kiss my behind.

Now, of course, I wouldn't quite put it like that some times, but it is very important that we take the time out to really analyze the state of disorganization around the issue of political prisoners, the conditions that led to it and begin to formulate

strategies and organizational methods that would strengthen us in the future. I think this symposium is a good beginning. I think that the turn out at this symposium has been very, very good. You can believe that the police department and the various law enforcement agencies of New York State and New York City realize that there is a potential in the issue of political prisoners that could blow their boots off. They are going to come at you from every angle, from below, from the top, from behind, from front. They are going to be right in our ranks whispering in our ears strategies and ideas, but if you stick to principles they can do nothing to you. They cannot disunify you, they cannot divide you and they cannot stop you from success. One of the things that I have learned when I had nothing else to rely on, I had to visualize myself walking down those court stairs. I had to imagine myself hugging my attorneys. I had to visualize it, and like Liz Fink told me ever since she met me, I've been coming home. *Dhoruba, ever since I met you 15 years ago, you've been getting out of prison. I said, you know something Liz, you're right.* Every year I was coming home and this year I did.

We have over 100 political prisoners who remain in prison today. Their day has to come. That day will come when we make it come. I have always said to myself in prison, the only person that can get my comrades out of prison is me. Nobody else could do it but me. I am saying that you have to feel that way too. Nobody can get them out of prison except you, because if three attorneys could fight for 13 years to finally beat the state, if one woman can call all of her friends and say, if you do not come to court for my husband I will never speak to you, and fill the courtroom, multiply that by everyone in this room, imagine what we could do.

You know, the question is not always a question of leadership, it is also a question of followship. We have to learn how to follow as well as accept the responsibilities of leadership. If there is a program that presents an analysis and that analysis moves you to action then you should give up some of your time to

furthering that program. So, my message to you tonight is essentially this—not only must principle lead to movement or any struggle, but analysis has to inform them. And, if a leader cannot present an analysis of a situation to you, then you shouldn't deal with him or her. That's very, very important because we are in a situation today that is critical. We are living in a time of monumental historical transitions all over the world. And it can be confusing. A lot of myths are crumbling and new ones are being erected. One monster is being put to rest—the monster of communism, the specter of communist control is being put to rest and another bogey man is being erected, the bogey man of Islamic fundamentalism. You don't understand it. You don't know it. It is alien to you so you should be afraid of it. I say to you today that any ideology or any way of life that opposes racist imperialism, that opposes European hegemony over the majority of the world, that opposes the class oppression of people is an ideology and methodology of revolutionary change is one you must understand it before you can criticize. I bring this message to you because in the future I hope to begin to work around putting together a national human rights campaign for the freedom of Afrikan American political prisoners and there are a lot of brothers here who have struggled and labored incessantly in the vineyards of this discrepancy. I think now things are beginning to come together on a spiritual level as well, because one of the failures of the movement of the 60's was not that our hearts were in the wrong place, it was not that we were just completely repressed and murdered out of existence, although that was a part of it, but it was our failure to tap into the energy and the soul of the human spirit to realize that we are not just material physical beings, we are people with a spirit and a heart. People get involved in struggles because of what is in their hearts. We need to address the heart. We cannot change our conditions as a people, as a movement until we first change the condition of our hearts. So, look inside yourself and imagine yourself on death row with Mumia Abdul Jamal, and get mad, get angry, feel desperate just like he must

feel and make him strong and freer. I want to ask all of you not to leave here today without committing yourself to do work around the issues that are being raised by Freedom Now, and the coalitions of organizations and groups that are trying to free political prisoners and prisoners of war. Addressing envelopes, pass out leaflets in your building, put yourself on a mailing list, do something. Don't let this historical moment pass you by. When your children say, hey mom, pops, what were you doing at the turn of the century when the world was going to hell in a handbasket? Well, I was working for the man trying to make me a living. He says, mom, is that all you did, pops, that's all you did? Be one of those who said, I used to work with those crazy radicals of Freedom Now, I used to address envelopes.

Our fight is essentially a work of the heart and spirit. I remember in the Black Panther Party whenever a criticism was given to a brother or sister, the first thing out of their mouths used to be: that's subjective sister, that's subjective brother. You have to be objective. I used to sit back and reflect on that and one day I was picking on Nuh Washington in Green Haven. I said you know something Nuh, back in the days of the party we used to always talk about how everything was subjective and Nuh, says you're right. What we didn't realize then is that it was the subjective factor that was the dynamic factor. Before we could move ourselves, we have to change our hearts and if we change our hearts we can move other people because the human heart is universal, the human spirit is universal and those that do not want to move with us, we can leave behind. I want to say one of the things that will confront us time and time again in the armed struggle for liberation and in the freeing of our people, whether we are dealing with the liberation of Puerto Rico, the anti-colonial struggle in Latin America, Central America or the oppression with national minorities in the US, and that is racism. There is not a segment of American society untainted by racism. America is an eurocentric society and it bases all of its values upon a European ethic and standard. We need to examine that because historically the left and the various European

nations in the United States have been unable to deal with their own racist attitudes. There are people who would rather save whales than human beings. We could look at people who are against the use of animals for clothes and I am not with that. When I say these things it is not that I am anti-whale or that I would want to pollute the environment. I just want you to reflect for a minute. We have people sleeping on sidewalk crates right around us. One of the things that appalled me when I stepped out one night were the walls lined with homeless people sleeping, like something out of the **Village of the Damned**. I mean it was unreal. It was not like this when I left the streets, so I was hit by future shock. Meanwhile, there are houses standing abandoned. You walk in New York City and where are we? Back in the 60's we would have taken over the building and volunteers would fought for water rights. But what has happened to us is that we have become complacent. We used to get angry that someone was starving. We used to get angry if someone did not have a place to sleep. And that was alright. Maybe I am a throw back. I still get mad, and I still get angry. Let's rely on the attorney to fight the legal fight, let's rely on the young warriors that we have to man the barricades, and let's rely on the brothers and sisters who churn out the papers and perform all the tasks that no one wants to do, those are the people who are the heroes, those are the ones who make things work. I stand before you because Robert Boyle read thousands and thousands and thousands of documents over and over again, until he could read them in his sleep. Liz Fink would come in and rewrite everything in the middle of the night, nonstop for three days and then pass out. Robert Bloom would fly in from the West Coast, stand up in the court and give his appeal. I would rant and rave and scream and holler about how none of this reflected my politics. But we all played a part, we all did our thing and I am saying we should do that again. That's what movements are made of. Those who are articulate enough to present the script should speak and those who are hip enough to write should script, those who can do nothing but pass out

leaflets, should pass out leaflets and in the final analysis, the person that passes out the leaflet will be the one who gets the greatest reward. There is much to the axiom that the last shall be first and the first shall be last because those people who are humble enough, those people who are human enough to stop and pass out leaflets and touch people where they need to be touched, those are the foot soldiers who win this struggle and we need every foot soldier we can get. So, I want to say as I close now, free all political prisoners, free all political prisoners, free all political prisoners.